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Sent Via Email

Re: California Public Records Act Request, Ref # CAL2019041802

Dear Requester:

This letter is in response to your California Public Records Act (PRA) Request sent on April 4, 2017. You request electronic copies of “all email, calendar invites, text/SMS/MMS/instant messages, physically written, or recorded audio communications sent, written, or received between January 1, 2017 and 2019-04-17(inclusive), to or from (1) any employee, officer, or supervisor of the County and (2) any of the following:” 43 named individuals; “any email address ending in whitehouse.gov or eop.gov not included above;” “any employee of the Executive Office of the President of the United States, the White House Office, or the Office of Management and Budget not included above;” and “any employee or officer of the US Office of the Attorney General, US Office of the Deputy Attorney General, and the Special Counsel’s Office not included above.”

You seek records from the following departments: CEO, County Counsel, Clerk of the Board, Board of Supervisors, Information Technology Department, Sheriff’s Department, Registrar of Voters, and District Attorney.

As previously stated, there were no responsive records from County Counsel, Clerk of the Board, Information Technology Department, and Registrar of Voters. The County produced responsive records from the CEO on May 13, 2019. The County also produced responsive records from the Board of Supervisors on May 23, 2019. Included in this letter are additional responsive records from former Supervisor Todd Spitzer (Third District), who is the County’s current District Attorney. The Sheriff’s Department will respond with additional responsive records in a separate correspondence.

The County is producing records that are responsive to the request for “any email address ending in whitehouse.gov or eop.gov.” The County also searched for any records on private devices or accounts or hard copies to or from the individuals named in your PRA request and is producing responsive records.

To the extent that you seek emails to or from specifically named individuals or

individuals from certain federal agencies or departments, this request does not reasonably describe an identifiable records, as required by Government Code section 6253, subsection (b). The County does not possess a list of email addresses for the 43 individuals named in your PRA request, which is necessary to search for and produce the requested records. Moreover, the County does not have a list of every employee that has worked for the Executive Office of the President of the United States, the White House Office, the Office of Management and Budget, US Office of the Attorney General, US Office of the Deputy Attorney General, and the Special Counsel's Office. Based on your request, the County would need to know every employee from these offices since January 1, 2017 and possess each of their respective email addresses. Moreover, a search for emails with the key words such as "Donald Trump" or "White House" would invariably produce voluminous amounts of spam newsletters and other non-responsive records.

As such, the County deems this request as unreasonable and interfering with the orderly function of government business. Case law repeatedly states that the government is held to reasonable standards. See *Bruce v. Gregory*, 65 Cal. 2d 666, 677 (1967); *Rosenthal v. Hansen*, 34 Cal. App. 3d 754, 761, (Ct. App. 1973); *Fredericks v. Superior Court*, 233 Cal. App. 4th 209, 228 (2015); *Cnty. Youth Athletic Ctr. v. City of Nat'l City*, 220 Cal. App. 4th 1385, 1425 (2013), review denied (Feb. 11, 2014). A court may consider the "expense and inconvenience involved in segregating non exempt from exempt information because the statutory term 'public interest' encompasses public concern and the cost and efficiency of government." *N. Cnty. Parents Org. v. Dep't of Educ.*, 23 Cal. App. 4th 144, 152 (1994)(internal citations omitted). Therefore, the County is not obligated to respond to your request to the extent that you seek emails to or from specifically named individuals or individuals from certain federal agencies and departments.

Records produced with this letter conclude the County's record production, except for additional documents that will be forthcoming from the Sheriff's Department.

Very truly yours,

LEON J. PAGE  
COUNTY COUNSEL

By Annie Loo  
Annie Loo, Deputy